

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

UMG RECORDINGS, INC., et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	No. 1:17-cv-00365-LY
	)	
GRANDE COMMUNICATIONS	)	
NETWORKS LLC,	)	
	)	
Defendant.	)	

**FOURTH ADVISORY IN RESPONSE TO THE COURT’S AUGUST 16, 2018 ORDER**

Pursuant to the Court’s August 16, 2018 Order, Grande Communications Networks LLC (“Grande”) submits this fourth status update regarding the parties’ efforts to reach an agreement on Grande’s requests for financial information concerning revenues generated by the works at issue in this case. *See* ECF No. 139 at 1-2. In short, Grande is still waiting for Plaintiffs to provide a substantive response to Grande’s proposal for resolving this issue.

On August 27th, following a previous meet and confer by telephone, Grande provided a specific proposal for Plaintiffs’ consideration (the broad outlines of which were also discussed in the August 16th hearing before the Court). Under this proposal, Plaintiffs would provide sworn statements regarding per-download and per-stream royalties paid to Plaintiffs by certain online music services over 2014-2018, and streaming counts, download revenues, and synchronization licensing revenues over that same period for 20 songs selected by Grande.

At the time, Plaintiffs advised that they needed more time to consider the proposal, and so Grande filed a first status update indicating that the parties would provide a further report by August 31st. *See* ECF No. 149. On August 31st, Plaintiffs advised that they were still

considering Grande's proposal, and that they expected to be able to provide a response the next week. Grande then filed a second status report so indicating. *See* ECF No. 160.

In a meet and confer by telephone on September 6th, Plaintiffs advised that they needed yet more time to respond to Grande's proposal, although they were optimistic the parties will be able to reach an agreement. In the interim, Plaintiffs canceled the Rule 30(b)(6) depositions of certain corporate designees whose testimony may be impacted by the requested information, on grounds that they are unwilling to produce the witnesses a second time when this issue is resolved. Plaintiffs did not provide a date certain by which they would be able to respond with agreement or a counter-proposal, but they indicated this week was possible. Grande then filed a third status report so indicating. *See* ECF No. 168.

This week, Plaintiffs informed Grande that they need yet more time to consider and respond to Grande's proposal. Plaintiffs have not provided a date certain by which they will be able to respond with agreement or a counter-proposal.

Grande will provide a further report by September 21, 2018, or as soon as the issue is resolved or the parties reach an impasse, whichever is earlier.

Dated: September 14, 2018.

By: /s/ Richard L. Brophy

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on September 14, 2018, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system pursuant to Local Rule CV-5(b)(1).

/s/ Richard L. Brophy  
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